

OCT. 13. 2004 5:43PM

FOLEY 8587926773

RECEIVED  
CENTRAL FAX CENTER

NO. 0703 P. 1

**FOLEY**

OCT 13 2004

FOLEY & LARDNER LLP  
ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CALIFORNIA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM

## FACSIMILE TRANSMISSION

Total # of Pages 23 (including this page)

TO:	PHONE #:	FAX #:
Mail Stop Amendment Commissioner For Patents U.S. Patent and Trademark Office		703.872.9306

From : Wesley B. Ames

Date : 10/13/2004

Client/Matter No : 026063-1901

USN : 09/045,732

Filing Date : 3/20/1998

Examiner : S. Siu

User ID No : 0188

### OFFICIAL

Transmitted herewith for filing in the above-referenced application are the following.

- 1) Transmittal (3 pages) in Duplicate; and
- 2) Amendment (16 pages).

Thank you.

If there are any problems with this transmission or if you have not received all of the pages, please call (858) 847-6756.

Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

RECEIVED  
CENTRAL FAX CENTER

OCT 13 2004

Atty. Dkt. No. 026063-1901

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Carl W. Fuller, et al.

Title: DERIVATIVES OF 7-DEAZA -2' -  
DEOXYGUANOSINE- 5' -  
TRIPHOSPHATE,  
PREPARATION AND USE  
THEREOF

Appl. No.: 09/045,732

Filing Date: 3/20/1998

Examiner: S. Siu

Art Unit: 1653

<p><b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p>	
Line Gauthier	_____
(Printed Name)	_____
<i>Rene Gauthier</i>	_____
(Signature)	_____
October 13, 2004	_____
(Date of Deposit)	_____

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	33	-	24	=	9	x	\$18.00	=	\$162.00
Independent Claims:	12	-	12	=	0	x	\$88.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$300.00	=	\$0.00
CLAIMS FEE TOTAL								=	\$162.00

Atty. Dkt. No. 026063-1901

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$430.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the third month:	\$980.00	\$980.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE TOTAL:		\$980.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1142.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$1142.00

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$1142.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$1318.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

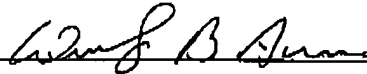
Atty. Dkt. No. 026063-1901

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 13, 2004

By



FOLEY & LARDNER LLP  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6714  
Facsimile: (858) 792-6773

Wesley B. Ames  
Attorney for Applicant  
Registration No. 40,893

DUPLICATE

OCT 13 2004

Atty. Dkt. No. 026063-1901

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Carl W. Fuller, et al.

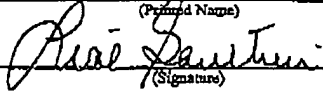
Title: DERIVATIVES OF 7-DEAZA -2' -  
DEOXYGUANOSINE- 5' -  
TRIPHOSPHATE,  
PREPARATION AND USE  
THEREOF

Appl. No.: 09/045,732

Filing Date: 3/20/1998

Examiner: S. Siu

Art Unit: 1653

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
Line Gauthier (Printed Name)	 (Signature)
October 13, 2004 (Date of Deposit)	

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	33	- 24 =	9	x \$18.00 =	\$162.00
Independent Claims:	12	- 12 =	0	x \$88.00 =	\$0.00
First presentation of any Multiple Dependent Claims:		+	\$300.00 =		\$0.00
CLAIMS FEE TOTAL =					\$162.00

**DUPLICATE**

Atty. Dkt. No. 026063-1901

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$430.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the third month:	\$980.00	\$980.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE TOTAL:		\$980.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1142.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$1142.00

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$1142.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$1318.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

DUPLICATE

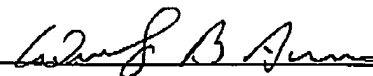
Atty. Dkt. No. 026063-1901

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 13, 2004

By



FOLEY & LARDNER LLP  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6714  
Facsimile: (858) 792-6773

Wesley B. Ames  
Attorney for Applicant  
Registration No. 40,893